

**United States District Court**  
**Eastern District of Pennsylvania (Philadelphia)**  
**CIVIL DOCKET FOR CASE #: 2:20-cv-01439-NIQA**

VIOLA v. BENTON et al

Assigned to: HONORABLE NITZA I QUINONES ALEJANDRO

Cause: 28:1332 Diversity–Libel,Assault,Slander

Date Filed: 03/16/2020

Date Terminated: 02/09/2021

Jury Demand: Plaintiff

Nature of Suit: 320 P.I.: Assault Libel & Slander

Jurisdiction: Diversity

**Plaintiff**

**FRANCESCA VIOLA**

represented by **DAVID P. HEIM**  
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V.

**Defendant**

**JOSHUA BENTON**

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**Defendant**

**PRESIDENT AND FELLOWS OF  
 HARVARD COLLEGE (HARVARD  
 CORPORATION)**

represented by **JOHN P. LAVELLE , JR.**  
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Date Filed	#	Docket Text
03/16/2020	1	Complaint against JOSHUA BENTON and PRESIDENT AND FELLOWS OF HARVARD COLLEGE (HARVARD CORPORATION) (Filing fee \$400 receipt number PPE213003) filed by FRANCESCA VIOLA. (Attachments: # 1 Civil Coversheets, # 2 Exhibits)(mbh, ) (Entered: 03/17/2020)
03/16/2020	1	2 Summons Issued as to JOSHUA BENTON and PRESIDENT AND FELLOWS OF HARVARD COLLEGE (HARVARD CORPORATION). Forwarded To: counsel on 3/17/20 (mbh, ) (Entered: 03/17/2020)
03/16/2020	1	Demand for Trial by Jury. (mbh, ) (Entered: 03/17/2020)
03/30/2020	2	MOTION for Pro Hac Vice of <i>Dorrian Horsey</i> ( Filing fee \$ 40 receipt number 0313-14206894.) filed by FRANCESCA VIOLA.Affidavit, Proposed Order, Certificate of Service.(HEIM, DAVID)

(Entered: 03/30/2020)

03/30/2020	<u>I</u> 3	MOTION for Pro Hac Vice of <i>Aaron Minc, Esquire</i> ( Filing fee \$ 40 receipt number 0313-14207063.) filed by FRANCESCA VIOLA.Affidavit, Proposed Order, Certificate of Service.(HEIM, DAVID) (Entered: 03/30/2020)
03/30/2020	<u>I</u> 4	ORDER THAT THE THE APPLICATION FOR ADMISSION PRO HAC VICE OF DORRIAN H. HORSEY ESQUIRE IS GRANTED. SIGNED BY HONORABLE NITZA I QUINONES ALEJANDRO ON 3/30/2020.3/31/2020 ENTERED AND COPIES E-MAILED. COPY NOT MAILED TO UNREP. COPY NOT MAILED TO ATTORNEY WITH ECF APPLICATION. (sg, ) (Entered: 03/31/2020)
03/30/2020	<u>I</u> 5	ORDER THAT THE THE APPLICATION FOR ADMISSION PRO HAC VICE OF AARON MINC ESQUIRE IS GRANTED. SIGNED BY HONORABLE NITZA I QUINONES ALEJANDRO ON 3/30/2020.3/31/2020 ENTERED AND COPIES E-MAILED. COPY NOT MAILED TO UNREP. COPY NOT MAILED TO ATTORNEY WITH ECF APPLICATION. (Entered: 03/31/2020)
05/28/2020	<u>I</u> 6	NOTICE of Appearance by LILY GREER BECKER on behalf of PRESIDENT AND FELLOWS OF HARVARD COLLEGE (HARVARD CORPORATION) with Certificate of Service(BECKER, LILY) (Entered: 05/28/2020)
05/28/2020	<u>I</u> 7	NOTICE of Appearance by JOHN P. LAVELLE, JR on behalf of PRESIDENT AND FELLOWS OF HARVARD COLLEGE (HARVARD CORPORATION) with Certificate of Service(LAVELLE, JOHN) (Entered: 05/28/2020)
05/29/2020	<u>I</u> 8	MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM <i>under Fed. R. Civ. P. 12(b)(6) and Lack of Personal Jurisdiction under Fed. R. Civ. P. 12(b)(2)</i> filed by PRESIDENT AND FELLOWS OF HARVARD COLLEGE (HARVARD CORPORATION).Memorandum of Law, Declarations and Certificate of Service. (Attachments: # <u>1</u> Memorandum of Law in Support of Motion to Dismiss, # <u>2</u> Text of Proposed Order, # <u>3</u> Declaration of John P. Lavelle, Jr., # <u>4</u> Exhibit A to Lavelle Declaration, # <u>5</u> Exhibit B to Lavelle Declaration, # <u>6</u> Exhibit C to Lavelle Declaration, # <u>7</u> Exhibit D to Lavelle Declaration, # <u>8</u> Exhibit E to Lavelle Declaration, # <u>9</u> Declaration Declaration of Bradley E. Abruzzi, # <u>10</u> Exhibit A to Abruzzi Declaration)(LAVELLE, JOHN) (Entered: 05/29/2020)
06/01/2020	<u>I</u> 9	Disclosure Statement Form pursuant to FRCP 7.1 with Certificate of Service by PRESIDENT AND FELLOWS OF HARVARD COLLEGE (HARVARD CORPORATION).(LAVELLE, JOHN) (Entered: 06/01/2020)
06/12/2020	<u>I</u> 10	AMENDED COMPLAINT against All Defendants All Defendants., filed by FRANCESCA VIOLA. (Attachments: # <u>1</u> Exhibit Exhibit A – joshuabenton.com descriptions, # <u>2</u> Exhibit Exhibit B – Harvard Social Media Policy, # <u>3</u> Exhibit Exhibit C – JBenton Twitter Description, # <u>4</u> Exhibit Exhibit D – BRDPS, # <u>5</u> Exhibit Exhibit E – Support Forum Thread, # <u>6</u> Exhibit Exhibit F – Disqus Policies, # <u>7</u> Exhibit Exhibit G – Harvard Privacy Statement, # <u>8</u> Exhibit Exhibit H – Neiman Lab Article, # <u>9</u> Exhibit Exhibit I – Alexander Best Comment, # <u>10</u> Exhibit Exhibit J – Truthseeker Comment, # <u>11</u> Exhibit Exhibit K – Twitter Statements, # <u>12</u> Exhibit Exhibit L – Benton Apology)(MINC, AARON) (Entered: 06/12/2020)
06/16/2020	<u>I</u> 11	ORDER THAT DEFENDANT'S <u>8</u> MOTION TO DISMISS IS DENIED AS MOOT. SIGNED BY HONORABLE NITZA I QUINONES ALEJANDRO ON 6/16/20.6/16/20 ENTERED & E-MAILED. NOT MAILED TO UNREP PARTY BENSON. (fdc) (Entered: 06/16/2020)
06/26/2020	<u>I</u> 12	MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM <i>under Fed. R. Civ. P. 12(b)(6) and Lack of Personal Jurisdiction under Fed. R. Civ. P. 12(b)(2) against Plaintiff's Amended Complaint</i> filed by PRESIDENT AND FELLOWS OF HARVARD COLLEGE (HARVARD CORPORATION).Memorandum, Certificate of Service, Declaration. (Attachments: # <u>1</u>

		Memorandum, # <u>2</u> Text of Proposed Order, # <u>3</u> Exhibit A, # <u>4</u> Exhibit B, # <u>5</u> Exhibit C, # <u>6</u> Exhibit D, # <u>7</u> Exhibit E, # <u>8</u> Declaration of Bradley E. Abruzzi, # <u>9</u> Exhibit A to Declaration of Bradley E. Abruzzi)(LAVELLE, JOHN) (Entered: 06/26/2020)
07/02/2020	<u>13</u>	MOTION for Extension of Time to File Response/Reply <i>Defendant's Motion to Dismiss</i> filed by FRANCESCA VIOLA.. (Attachments: # <u>1</u> Text of Proposed Order Proposed Order Granting Extension of Time)(MINC, AARON) (Entered: 07/02/2020)
07/06/2020	<u>14</u>	ORDER THAT THE PARTIES STIPULATION FOR EXTENSION OF TIME IS APPROVED. PLAINTIFFS SHALL TAKE ALL REASONABLE ACTIONS NECESSARY TO RESPOND TO DEFENDANT HARVARD'S MOTION TO DISMISS BY 7/29/20; ETC.. SIGNED BY HONORABLE NITZA I QUINONES ALEJANDRO ON 7/6/20. 7/6/20 ENTERED AND E-MAILED, NOT MAILED TO UNREP.(JL) (Entered: 07/06/2020)
07/14/2020	<u>1</u>	MAILED OUT ORDER ENTRIES # 4,5,11 AND 14 TO COUNSEL ON 7/14/20. NEF REGENERATED ON 7/15/20. (jaa, ) Modified on 7/15/2020 (lisad, ). (Entered: 07/14/2020)
07/16/2020	<u>1</u>	Orders 4,5,11 and 14 mailed to Joshua Benton. (fdc) (Entered: 07/16/2020)
07/29/2020	<u>15</u>	RESPONSE in Opposition re <u>12</u> MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM under Fed. R. Civ. P. 12(b)(6) and Lack of Personal Jurisdiction under Fed. R. Civ. P. 12(b)(2) against Plaintiff's Amended Complaint filed by FRANCESCA VIOLA. (MINC, AARON) (Entered: 07/29/2020)
07/29/2020	<u>16</u>	Plaintiff's Proposed Order on Defendant's Motion to Dismiss filed by FRANCESCA VIOLA. (MINC, AARON) *FORWARDED TO JUDGE* Modified on 7/30/2020 (lisad, ). (Entered: 07/29/2020)
07/30/2020	<u>17</u>	WAIVER OF SERVICE Returned Executed by FRANCESCA VIOLA. All Defendants. (MINC, AARON) (Entered: 07/30/2020)
08/18/2020	<u>18</u>	MOTION for Leave to File <i>Reply Memorandum of Law in further support of its Motion to Dismiss the Amended Complaint</i> filed by PRESIDENT AND FELLOWS OF HARVARD COLLEGE (HARVARD CORPORATION).Certificate of Service. (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Exhibit A – Reply Memorandum of Law)(LAVELLE, JOHN) (Entered: 08/18/2020)
08/20/2020	<u>19</u>	ORDERED THAT THE MOTION FOR LEAVE TO FILE IS GRANTED, AND THE REPLY ATTACHED TO THE UNDERLYING MOTION AS EXHIBIT A SHALL BE DEEMED FILED AS OF THE DATE OF THIS ORDER. IT IS FURTHER ORDERED THAT PLAINTIFF MAY FILE A SUR-REPLY, NOT TO EXCEED TEN PAGES, ON OR BEFORE 9/7/2020. SIGNED BY HONORABLE NITZA I QUINONES ALEJANDRO ON 8/20/2020.8/20/2020 ENTERED AND COPIES E-MAILED. NOT MAILED TO UNREP.(sg, ) (Entered: 08/20/2020)
08/20/2020	<u>22</u>	REPLY BRIEF OF DEFENDANT PRESIDENT AND FELLOWS OF HARVARD COLLEGE IN SUPPORT OF MOTION TO DISMISS PLAINTIFFS AMENDED COMPLAINT, filed by PRESIDENT AND FELLOWS OF HARVARD COLLEGE (HARVARD CORPORATION). (sg, ) (Entered: 08/21/2020)
08/21/2020	<u>20</u>	MOTION for Pro Hac Vice filed by PRESIDENT AND FELLOWS OF HARVARD COLLEGE (HARVARD CORPORATION).Certificate of Service.(BECKER, LILY) *RE-FILED AT DOC. <u>21</u> * Modified on 8/24/2020 (lisad, ). (Entered: 08/21/2020)
08/21/2020	<u>21</u>	MOTION for Pro Hac Vice ( Filing fee \$ 40 receipt number 0313-14510817.) filed by PRESIDENT AND FELLOWS OF HARVARD COLLEGE (HARVARD CORPORATION)..(BECKER, LILY) (Entered: 08/21/2020)
08/21/2020	<u>23</u>	ORDER THAT JONATHAN ALBANO'S MOTION FOR ADMISSION PRO HAC VICE IS GRANTED. SIGNED BY HONORABLE NITZA I QUINONES ALEJANDRO ON

8/21/2020 8/21/2020 ENTERED AND COPIES E-MAILED. NOT MAILED TO UNREP.(sg, )  
(Entered: 08/21/2020)

09/04/2020	<u>24</u>	NOTICE by FRANCESCA VIOLA <i>Supplemental Certificate of Service for Amended Complaint (HORSEY, DORRIAN)</i> (Entered: 09/04/2020)
09/04/2020	<u>25</u>	REPLY to Response to Motion re <u>12</u> MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM <i>under Fed. R. Civ. P. 12(b)(6) and Lack of Personal Jurisdiction under Fed. R. Civ. P. 12(b)(2) against Plaintiff's Amended Complaint Plaintiff's Surreply In Further Opposition to Defendant's Motion to Dismiss</i> filed by FRANCESCA VIOLA. (Attachments: # <u>1</u> Exhibit Brief of Citizen Media Law Project)(HORSEY, DORRIAN) (Entered: 09/04/2020)
10/05/2020	<u>26</u>	DOC. 19, AND 23 MAILED TO UNREP. (sg, ) (Entered: 10/05/2020)
10/20/2020	<u>26</u>	MOTION for Joinder <i>in and Adoption of Co-Defendant Harvard's Motion to Dismiss pursuant to Rule 12(b)(6)</i> filed by JOSHUA BENTON.Certificate of Service. (Attachments: # <u>1</u> Text of Proposed Order)(MISHKIN, JEREMY) (Entered: 10/20/2020)
10/21/2020	<u>27</u>	NOTICE of Appearance by KENDRA LEE BAISINGER on behalf of JOSHUA BENTON with Certificate of Service(BAISINGER, KENDRA) (Entered: 10/21/2020)
10/21/2020	<u>28</u>	ORDER THAT UPON CONSIDERATION OF DEFENDANT JOSHUABENTONS MOTION TO JOIN AND ADOPT CODEFENDANTS MOTION TO DISMISS, [ECF 26], IT IS HEREBY ORDERED THAT THE MOTION IS GRANTED.SIGNED BY HONORABLE NITZA I QUINONES ALEJANDRO ON 10/21/2020.10/21/2020 ENTERED AND COPIES E-MAILED.(sg, ) (Entered: 10/21/2020)
02/09/2021	<u>29</u>	ORDER THAT UPON CONSIDERATION OF THE MOTION TO DISMISS FOR LACK OF PERSONAL JURISDICTION, [ECF 12], FILED BY DEFENDANT PRESIDENT AND FELLOWS OF HARVARD COLLEGE (HARVARD), PLAINTIFFS RESPONSE IN OPPOSITION THERETO, [ECF 15], HARVARDS REPLY, [ECF 22], PLAINTIFFS SUR-REPLY, [ECF 25], AND THE ALLEGATIONS CONTAINED IN THE AMENDED COMPLAINT, [ECF 10], IT IS HEREBY ORDERED THAT THE MOTION IS GRANTED. ACCORDINGLY, THE CLERK OF COURT IS DIRECTED TO TRANSFER THIS MATTER TO THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MASSACHUSETTS. SIGNED BY HONORABLE NITZA I QUINONES ALEJANDRO ON 2/9/2021.2/9/2021 ENTERED AND COPIES E-MAILED.(sg, ) (Entered: 02/09/2021)